

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

**JESSICA JONES, et al.,**

Plaintiffs,

v.

**VARSITY BRANDS, LLC, et al.**

Defendants.

Case No. 2:20-cv-02892-SHL-tmp

**JURY DEMAND**

---

**DECLARATION OF DANIEL J. NORDIN IN SUPPORT OF PLAINTIFFS' MOTION  
FOR AWARD OF ATTORNEYS' FEES AND LITIGATION EXPENSES**

---

I, Daniel J. Nordin, declare the following under penalty of perjury:

1. I am a member of the law firm Gustafson Gluek PLLC ("Gustafson Gluek"). I submit this declaration in support of Plaintiffs' motion for an award of attorneys' fees and litigation expenses in connection with the services rendered, and costs and expenses incurred by my firm in *Jones v. Varsity Brands, LLC* (the "Action").

2. My firm serves on the Executive Committee for the Indirect Purchaser Plaintiffs ("IPPs") in the Action. The schedule attached as Exhibit A is a true and correct summary identifying the attorneys, paralegals, and other staff at my firm who have worked on this litigation, the number of hours those individuals worked, their current hourly billing rates and their respective lodestar values. The schedule attached as Exhibit A sets forth my firm's total hours and lodestar at current rates from inception of the case through and including June 30, 2024. The total number of

hours spent by my firm during this period was 3,485.25, with a corresponding total lodestar calculated at current rates of \$1,899,348.75. This schedule was based upon contemporaneous, daily time records prepared and maintained by the firm.

3. In representing the IPPs in the Action, Gustafson Gluek spent substantial time and effort litigating the case, including:

- a. Analyzing and revising the original complaint filed in the Action, *See* ECF No. 1;
- b. Researching and drafting Plaintiffs' opposition to Defendant USASF's motion to dismiss, *see* ECF No. 69;
- c. Researching and drafting Plaintiffs' opposition to Defendants' motion to strike Plaintiffs' class allegations, *see* ECF No. 70;
- d. Analyzing discovery requests propounded by the Direct Purchaser Plaintiffs to determine what additional requests Plaintiffs should propound and drafted those requests;
- e. Evaluating Defendant Bain Capital's discovery responses to assess sufficiency, challenging inappropriate objections and deficiencies and engaging in meet and confers, both by telephone conference, email, and letter, regarding deficiencies and the negotiation of custodians and search terms;
- f. Evaluating Defendant Charlesbank's discovery responses to assess sufficiency, challenging inappropriate objections and deficiencies, and engaging in meet and confers, both by telephone conference, email, and

letter, regarding deficiencies and the negotiation of custodians and search terms;

- g. Researching and drafting a motion to compel Defendants Bain Capital and Charlesbank to produce sufficient responses to Plaintiffs' discovery requests;
- h. Analyzing and coding documents—both documents produced by others in this litigation and documents to be produced by Plaintiffs;
- i. Analyzing, researching, and summarizing the status of various state law claims after relevant orders from the Court;
- j. Preparing for and taking various depositions, including of personnel at Defendants Bain Capital and Charlesbank, *see* ECF Nos. 101, 102;
- k. Assisting co-counsel in the preparation for oral arguments on reconsideration of motion to dismiss and motion to strike, including attending these arguments;
- l. Summarizing deposition transcripts via deposition digests and the exhibits used therein via exhibit charts; and
- m. Researching and drafting Plaintiffs' opposition to Defendants' motion to exclude the expert testimony of Dr. Netz; *see* ECF No. 425.

4. The lodestar amount reflected in Exhibit A is for work performed by attorneys and professional staff at or affiliated with my firm for the benefit of the Settlement Class. The hourly rates for the attorneys and professional staff in my firm reflected in Exhibit A are the usual and customary hourly rates used by my firm in similar contingent complex litigation matters. My firm's work on this case was performed on a wholly contingent basis. My firm has not received any amounts in connection with this case.

5. My firm has expended a total of \$10,195.81 in unreimbursed costs and expenses in connection with the prosecution of the Action from inception of the case through and including June 30, 2024. These costs are set forth in the Schedule attached as Exhibit B and are reflected on the books and records of my firm. They were incurred on behalf of the Settlement Classes by my firm and have not been reimbursed.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: Minneapolis, Minnesota.  
September 3, 2024

/s/ Daniel J. Nordin  
Daniel J. Nordin

**SIGNATURE ATTESTATION**

I hereby attest that I have on file all holographic signatures corresponding to any signatures indicated by a conformed signature (/s/) within this e-filed document.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 3, 2024 in San Francisco, California.

By: /s/ Joseph R. Saveri  
Joseph R. Saveri

# Exhibit A

**Gustafson Gluck PLLC**  
**Reported Hours and Lodestar by Timekeeper**  
**Reporting Period: Inception through June 30, 2024**

<b>Name</b>	<b>Position</b>	<b>Hours</b>	<b>Rate</b>	<b>Lodestar</b>
Gustafson, Daniel	P	22.5	\$1,200	\$27,000.00
Hedlund, Daniel	P	30.75	\$1,100	\$33,825.00
Goodwin, David	P	46	\$900	\$41,400.00
Nordin, Daniel	P	1018	\$800	\$814,400.00
Nikolai, Mary	A	13.25	\$600	\$7,950.00
Amara, Abou Jr.	A	58.25	\$550	\$32,037.50
Mahoney-Mosedale, Frances	A	783.75	\$475	\$372,281.25
Stevens, Mickey	A	48.5	\$450	\$21,825.00
Wang, Ling	A	148.5	\$425	\$63,112.50
Cozad, Noah	A	463	\$425	\$196,775.00
Bajrovic, Senad	CA	648	\$335	\$217,080.00
Jakubauskiene, Diana	PA	204.75	\$350	\$71,662.50
<b>Totals</b>		<b>3485.25</b>		<b>\$1,899,348.75</b>

**Role Legend**

P - Partner

A - Associate

PA - Paralegal

CA - Contract Attorney

**Gustafson Gluek PLLC**  
**Reported Hours and Lodestar by Task Code**  
**Reporting Period: Inception through June 30, 2024**

<b>Task Codes</b>	<b>Hours</b>	<b>Lodestar</b>
Case Assessment, Development and Administration	232.25	\$115,706.25
Mediation and Settlement	11.00	\$10,043.75
Pre-Trial Pleadings and Motions	442.25	\$251,993.75
Discovery	2657.50	\$1,426,611.25
Trial Preparation and Trial	142.25	\$94,993.75
<b>Totals</b>	<b>3485.25</b>	<b>\$1,899,348.75</b>



# Exhibit B

**Gustafson Gluek PLLC****Reported Expenses****Reporting Period: Inception through June 30, 2024**

<b>Category</b>	<b>Amount</b>
E107 Delivery Services/Messengers	\$1,386.96
E101 Copying	\$790.30
E112 Court Fees	\$1,075.75
E106 Online Research	\$5,045.01
E110 Out-of-Town Travel	\$1,897.79
<b>Total</b>	<b>\$10,195.81</b>